

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Monique West	Team: Squad #2	CCRB Case #: 201605244	<input checked="" type="checkbox"/> Force <input type="checkbox"/> Discourt. <input type="checkbox"/> U.S. <input type="checkbox"/> Abuse <input type="checkbox"/> O.L. <input type="checkbox"/> Injury
Incident Date(s) Friday 06/10/2016 1:52 AM	18 Mo. SOL 12-10-2017	EO SOL 12-10-2017	Location of Incident: <div style="background-color: black; width: 100px; height: 1em; display: inline-block;"></div> East 96th Street Apt. 10D
Date/Time CV Reported Fri, 06/10/2016 6:47 AM	CV Reported At: IAB	How CV Reported: Phone	Precinct: 67
		Date/Time Received at CCRB Fri, 06/17/2016 10:57 AM	

Complainant/Victim	Type	Home Address
1. V <div style="background-color: black; width: 40px; height: 1em; display: inline-block;"></div> F <div style="background-color: black; width: 40px; height: 1em; display: inline-block;"></div>	Comp/Victim	<div style="background-color: black; width: 20px; height: 1em; display: inline-block;"></div> East 96th Street <div style="background-color: black; width: 60px; height: 1em; display: inline-block;"></div> Brooklyn NY 11212

Subject Officer(s)	Shield	TaxID	Command
1. POM Salvatore Rizzo	28468	955390	067 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. SGT C <div style="background-color: black; width: 40px; height: 1em; display: inline-block;"></div> S <div style="background-color: black; width: 60px; height: 1em; display: inline-block;"></div>	<div style="background-color: black; width: 40px; height: 1em; display: inline-block;"></div>	<div style="background-color: black; width: 40px; height: 1em; display: inline-block;"></div>	<div style="background-color: black; width: 60px; height: 1em; display: inline-block;"></div>
2. POM C <div style="background-color: black; width: 40px; height: 1em; display: inline-block;"></div> L <div style="background-color: black; width: 40px; height: 1em; display: inline-block;"></div>	<div style="background-color: black; width: 40px; height: 1em; display: inline-block;"></div>	<div style="background-color: black; width: 40px; height: 1em; display: inline-block;"></div>	<div style="background-color: black; width: 60px; height: 1em; display: inline-block;"></div>
3. POM Pe <div style="background-color: black; width: 40px; height: 1em; display: inline-block;"></div> L <div style="background-color: black; width: 40px; height: 1em; display: inline-block;"></div>	<div style="background-color: black; width: 40px; height: 1em; display: inline-block;"></div>	<div style="background-color: black; width: 40px; height: 1em; display: inline-block;"></div>	<div style="background-color: black; width: 60px; height: 1em; display: inline-block;"></div>

Officer(s)	Allegation	Investigator Recommendation
A . POM Salvatore Rizzo	Force: Police Officer Salvatore Rizzo used physical force against V <div style="background-color: black; width: 40px; height: 1em; display: inline-block;"></div> F <div style="background-color: black; width: 40px; height: 1em; display: inline-block;"></div>	A . Mediated

### **Case Summary**

- This is a brief summary of the case with the allegations listed as they are introduced chronologically (similar to mediation referral).
- Note if there's video footage that captures the incident from the onset.
- Note if this is a sensitive case with a brief explanation including whether there is any media coverage.
- Note if any arrests/summonses resulted from the incident.
- Indicate if the case was reassigned, from whom and date of reassignment.

### **Mediation, Civil and Criminal Histories**

- Summarize information in bullet pointed sentences with enclosures.
- If there was an attempt at mediation and the case was returned to investigations, the time frame should be noted here.
- Criminal conviction history should cover the last 10 years. When citing the history, it should be brief and note that during a specific time period, the civilian was convicted for these specific charges with various sentences or if the same, note what they were. You do not need to cite each conviction separately.
- Note anything that may be important to allegation or credibility such as (denies ever having drugs but has been convicted 50 times for similar charges).

### **Civilian and Officer CCRB Histories**

- Brief summaries with enclosures noting any patterns that are important based on the civilian or officer history.
- Make sure to note if this is the civilian or officer's first complaint with the agency.
- Note the number of complaints for either civilian(s) or officer(s) and number of allegations overall through that time period.
- Briefly discuss substantiated allegations against MOS citing case number, board recommendation and NYPD disposition.

### **Potential Issues**

- Discuss anything that should be known from the onset that may have hindered the assessment of the allegation(s) such as but not limited to: not being able to get video footage, no documentation available to identify officers, special circumstances that impact officer identification such as melee with various precincts, various law enforcement agencies, no statements from the victims etc.

### **Findings and Recommendations**

#### **Explanation of Subject Officer Identification**

- This should only be included in cases where the officers deny their presence or do not recall the particular interaction that led up to the allegation and briefly why we identified them to be the subjects (enclose docs).

#### **Allegations not pleaded**

- Bullet point each allegation not pleaded.
- Start each sentence with allegation type and brief one sentence explanation. I.e. "Abuse: A guns drawn allegation is not being pleaded..."

**Allegation A -Discourtesy: PO Ben Smith spoke discourteously to John Doe.**

- Since the closing report no longer includes civilian and officer statements, you need to give context within the facts and/or analysis part of FRAC. For example, do not simply state: Mr. Doe alleged that PO Ben Smith told him he is a “motherfucker” and PO Smith denied it. Instead note the context, i.e. *It is undisputed that PO Smith approached Mr. Doe to issue him a summons for double parking. Mr. Doe argued with PO Smith, exited his vehicle and told PO Smith that he was simply trying to reach his quota for the month. PO Smith allegedly called him a “motherfucker.” PO Smith acknowledged that Mr. Doe argued about the summons and told him\_\_\_\_\_.*
- This will continue to follow FRAC method as we do now.
- Civilian/witness/officer statements should be enclosed as they are introduced.
- Subject officer identification should be briefly addressed in a sentence unless a subject officer identification section was required. I.e. Both officers confirmed that they were present during the incident but did not interact with Mr. Doe etc.
- Only documentary evidence that is needed to support your allegations needs to be included within the analysis section including but not limited to the following: 911 calls, Event information, video footage discussion pertaining to the specific allegation, arrest photo, UF 250 reports, command log, medical records, field work etc.

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Squad:

Investigator: \_\_\_\_\_  
Signature Print Date

Squad Leader: \_\_\_\_\_  
Title/Signature Print Date

Reviewer: \_\_\_\_\_  
Title/Signature Print Date